IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

WP(C).No. 15087 of 2007(S)

PETITIONER:

K.PRADEEPKUMAR, S/O.KRISHNAN NAIR,
RESIDING AT `THULASI MANDIRAM',
HARBOUR ROAD, VIZHINJAM P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.A.B.MOHANAKUMAR
SRI.T.SHIHABUDEEN

RESPONDENTS:
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1. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA,
GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE SECRETARY,
DEPARTMENT OF HEALTH,
GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE SUPERINTENDENT,
SAT HOSPITAL MEDICAL COLLEGE,
THIRUVANANTHAPURAM.

4. THE SECRETARY,
KERALA GOVERNMENT MEDICAL COLLEGE
TEACHERS ASSOCIATION (KGMCTA),
MEDICAL COLLEGE,
THIRUVANANTHAPURAM.

BY SENIOR GOVERNMENT PLEADER SMT.R.MEERA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/05/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.P.(C)No.15087 of 2007

Dated this the 28th day of May, 2007

JUDGMENT

H.L. DATTU, C.J.

A public spirited citizen is before us in this petition filed under Article 226 of the Constitution of India, inter alia seeking direction to constitute a permanent expert Scientific Committee to oversee and maintain hygienic standards in all Government Medical Colleges and Hospitals in Kerala; secondly for a direction to the respondents to fill up all existing vacancies of Doctors, paramedical and other staff in all the Government Medical Colleges and Hospitals in Kerala and lastly to declare the proposed strike by doctors and house surgeons affiliated to the 4th respondent as illegal by invoking the provisions of Essential Services Maintenance Act.

2. In support of the relief sought for in the petition, the petitioner has cited certain tragic events that has taken place in SAT Hospital, Thiruvananthapuram. The petitioner has commented the state of affairs in the said hospital in the writ petition and according to the petitioner, the same state of affairs exists in other Government Hospitals also and therefore, the expert committee requires to be appointed to look into the affairs of other Government Hospitals.

3. The learned Magistrate of Thiruvananthapuram, taking into consideration the happenings in SAT Hospital, has already initiated appropriate

proceedings. The State Human Rights Commission has also taken suo motu proceedings, after coming to know of the tragic events that has taken place in SAT Hospital, Thiruvananthapuram. The petitioner has not cited any other instance which has taken in any other hospital, which warrants an appointment of an expert committee to go into the state of affairs in any Government Medical Colleges/Hospitals.

4. To us, it appears that, after certain instances have taken place, the Superintendent of SAT Hospital is kept under suspension and for reinstatement of the said Superintendent, the 4th respondent association has initiated certain steps and to thwart the same, the petitioner has come up before this court.

5. After going through the pleadings and after hearing the learned counsel for the petitioner, we do not see any public interest in the petition so filed by the petitioner. To say so, we rely upon several decisions rendered by the Apex Court in the recent past.

In view of the above, we decline to entertain this writ petition and decline to grant any relief. The writ petition deserves to be rejected and it is rejected. Ordered accordingly.

Sd/-
H.L. DATTU,
CHIEF JUSTICE.
Sd/-
K.T. SANKARAN,
JUDGE.

Sk/

//true copy//

P.S. To Judge